

U.S.A. vs EDWARD MIRELES

No. 08CR1756-BEN

The Court finds excludable delay, under the section indicated by check (), commenced on 6/12/08 and ended on 9/22/08; () and ended on . ()

<u>3161(h)</u>		
____ (1) (A)	Exam or hrg for mental or physical incapacity	A
____ (1) (B)	NARA examination (28:2902)	B
____ (1) (D)	State or Federal trials or other charges pending	C
____ (1) (E)	Interlocutory appeals	D
____ (1) (F)	Pretrial motions (from flg to hrg or other prompt dispo)	E
____ (1) (G)	Transfers from other district (per FRCrP 20, 21 & 40)	F
____ (1) (J)	Proceedings under advisement not to exceed thirty days	G
____	Misc proc: Parole or prob rev, deportation, extradition	H
____ (1) (H)	Transportation from another district or to/from examination or hospitalization in ten days or less	6
____ (1) (I)	Consideration by Court of proposed plea agreement	7
____ (2)	Prosecution deferred by mutual agreement	I
____ (3) (A) (B)	Unavailability of defendant or essential witness	M
____ (4)	Period of mental or physical incompetence of defendant to stand trial	N
____ (5)	Period of NARA commitment or treatment	O
____ (6)	Superseding indictment and/or new charges	P
____ (7)	Defendant awaiting trial of co-defendant when no severance has been granted	R
____ (8) (A) (B)	Continuances granted per (h) (8) -use "T" alone if more than one of the reasons below are given in support of continuance	T
____ (8) (B) (I)	1) Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. (Continuance - miscarriage of justice)	T1
<u>X</u>	2) Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. (Continuance - tendered a guilty plea)	
____ (8) (B) (ii)	2) Case unusual or complex	T2
____ (8) (B) (iii)	3) Indictment following arrest cannot be filed in thirty (30) days	T3
____ (8) (B) (iv)	4) Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare (Continuance re counsel)	T4
____ 3161(I)	Time up to withdrawal of guilty plea	U
____ 3161(b)	Grand jury indictment time extended thirty (30) more days	W

Date 6/12/81

JTA
Judge's Initials